UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/465,634	12/17/1999	DAVID K. VAVRO	INTL-0286-US	9115

21906 7590 05/19/2006

TROP PRUNER & HU, PC
8554 KATY FREEWAY
SUITE 100
HOUSTON, TX 77024

EXAMINER	
MEONSKE, TONIA L	

ART UNIT	PAPER NUMBER
2181	

DATE MAILED: 05/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/465,634	VAVRO ET AL.	
	Examiner	Art Unit	
	Tonia L. Meonske	2181	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 February 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-7,9-16 and 18-24* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-7,9-16 and 18-24* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Supervisory FRITZ FLEMING PRIMARY EXAMINER 5/15/2006 GROUP 2100 AU 2181

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *1/30/06*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-6 and 9-16 and 18-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Balmer, US Patent 5,197,140 (herein referred to as Balmer). The rejections as set forth in the last office action mailed on December 19, 2005 are respectfully maintained and included below.

3. Referring to claim 1, Balmer has taught a digital signal processor comprising:

a. a programmable, multiply and accumulate mathematical processor (Figure 4, elements 101-103, column 35, lines 39-56, columns 8-11);

b. an input processor that processes input signals to the digital signal processor (Figures 2, 4, and 17, transfer processor and frame controllers, column 58, line 60-column 59, line 20 column 3, lines 10-17, column 11, line 55-column 12, line 12, column 4, line 60-column 5, line 13, column 7, lines 8-15);

c. an output processor that processes output signals from the digital signal processor (Figures 2, 4, and 17, transfer processor and frame controllers, column 58, line 60-column 59, line 20 column 3, lines 10-17, column 11, line 55-column 12, line 12, column 4, line 60-column 5, line 13, column 7, lines 8-15);

d. a master processor that controls said mathematical processor, said input processor and said output processor provides the timing for the other processors (Figures 2, 4, and

17, master processor, column 3, lines 10-17, column 4, line 60-column 5, line 5, column 12, lines 14-34); and

e. a storage to store data from each of said processors so as to be selectively accessible by each of the processors (column 2, line 67-column 3, line 17, column 47-column 7, line 47).

4. Referring to claim 2, Balmer has taught the digital signal processor of claim 1 further including a random access memory processor that stores intermediate calculation results (column 5, lines 47-61, see RAMS).

5. Referring to claim 3, Balmer has taught the digital signal processor of claim 2 including a bus coupling each of said processors to said storage (column 6, lines 39-52).

6. Referring to claim 4, Balmer has taught the digital signal processor of claim 1 wherein said input and output processors also implement mathematical operations (Figures 2, 4, and 17, transfer processor and frame controllers, column 58, line 60-column 59, line 20 column 3, lines 10-17, column 11, line 55-column 12, line 12, column 4, line 60-column 5, line 13, column 7, lines 8-15).

7. Referring to claim 5, Balmer has taught the digital signal processor of claim 1 wherein each of said processors have their own instruction sets (column 35, lines 57-64).

8. Referring to claim 6, Balmer has taught the digital signal processor of claim 1 wherein said processors communicate with one another through said storage (column 2, line 67-column 3, line 17, column 47-column 7, line 47).

9. Referring to claim 9, Balmer has taught the digital signal processor of claim 1 wherein said master processor waits for the input processor to complete a given operation (column 59, lines 12-20. column 11, line55-column 12, line12).

10. Referring to claim 10, Balmer has taught the digital signal processor of claim 1 wherein each of said processors includes its own random access memory (column 5, lines 47-61, see RAMS).

11. Referring to claim 11, Balmer has taught the digital signal processor of claim 1, as described above, and wherein said storage includes a plurality of registers, said registers automatically transfer existing data from a first register to a second register when new data is being written into said first register (column 43, line 50-column 45, line 52, saving the interrupt state).

12. Referring to claim 12, Balmer has taught the digital signal processor of claim 11, as described above, and wherein said input processor causes the automatic transfer of data (column 43, line 50-column 45, line 52, When an interrupt occurs, see "Packet Request", the state is saved.).

13. Referring to claim 13, Balmer has taught the digital signal processor of claim 11, as described above, and wherein said mathematical processor causes said data to be transferred from one register to another (column 43, line 50-column 45, line 52).

14. Referring to claim 14, Balmer has taught the digital signal processor of claim 1 including a mathematical processor which is pipelined (column 39, lines 20-45).

15. Referring to claim 15, Balmer has taught the digital signal processor of claim1 wherein said mathematical processor is a multi-cycled mathematical processor (column 39, lines 20-45,

where an operation takes multiple cycles to complete. In this case a pipelined processor takes multiple cycles to complete.).

16. Claim 16 does not recite limitations above the claimed invention set forth in claim 1 and is therefore rejected for the same reasons set forth in the rejection of claim 1 above.

17. Claims 18-20 do not recite limitations above the claimed invention set forth in claims 11-13 and are therefore rejected for the same reasons set forth in the rejection of claims 11-13 above.

18. Referring to claim 21, Balmer has taught storing a bit which indicates which processor may control said automatic transfer of data from one register to another (column 50, lines 15-35; column 44, lines 34-67).

19. Claim 22 does not recite limitations above the claimed invention set forth in claim 14 and is therefore rejected for the same reasons set forth in the rejection of claim 14 above.

20. Claims 23 and 24 do not recite limitations above the claimed invention set forth in claim 15 and are therefore rejected for the same reasons set forth in the rejection of claim 15 above.

Claim Rejections - 35 USC § 103

21. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

22. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Balmer, US Patent 5, 197,140 (herein referred to as Balmer). The rejection as set forth in the last office action mailed on December 19, 2005 is respectfully maintained and included below.

23. Referring to claim 7, Balmer has taught the digital signal processor of claim 1, as described above. Balmer has not taught wherein each of said processors use very long instruction words. Employing this type of instruction format is well known in the art and would have allowed for several instructions of Balmer to be issued at once. Furthermore, by the nature of very long instruction words, the compiler would have only combined instructions that are not dependent upon one another. Issuing multiple independent instructions at once would have speed up the over execution time of the processor by reducing the idle time of the processor. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to employ the very long instruction word format for instructions issued to the plural processors of Balmer in order to increase speed and efficiency of those processors. Official notice has been taken.

Response to Arguments

24. Applicant's arguments with respect to claims 1-7,9-16 and 18-24 have been considered but are moot in view of the new ground(s) of rejection.

25. On page 5, Applicant argues in essence:

> *"The material cited in column 12 does indicate that the master processor is used for scheduling. But the master processor is not used for timing."*
>
> Applicant is correct in that the master processor is responsible for scheduling (column 12, lines 15-20). Specifically, the master processor is used for scheduling and control of the entire system, including the control of the transfer processor as well as interaction

between the various processors. According to the Microsoft Computer Dictionary, schedule is defined as "to program a computer to perform a specified action at a specified time and date." So it follows that scheduling is programming a computer to perform a specified action at a specified time and date. Therefore, since the master processor is responsible for scheduling of the entire system, then the master processor is responsible for programming a computer to perform specified actions at specified times and dates. So the master processor of Balmer is in fact used for timing. Therefore this argument is moot.

Conclusion

26. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

27. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

28. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tonia L. Meonske whose telephone number is (571) 272-4170. The examiner can normally be reached on Monday-Friday, with every other Friday off.

29. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fritz Fleming can be reached on (571) 272-4145. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

30. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

tlm

Fritz M. Fleming
FRITZ FLEMING
Supervisory PRIMARY EXAMINER 5/15/2006
GROUP 2100
Au2181